

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

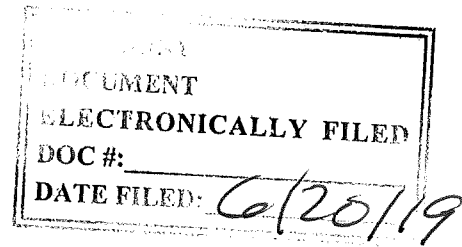
-----X
DENNIS CRUZ, on behalf of himself and others :
similarly situated, :

Plaintiff, :

v. :

PELLS POINT LLC; CLAYTON BUSHONG; :
and BRENNAN HEFNER, :

Defendants. :
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ORDER

19 CV 1425 (VB)

On June 19, 2019, the parties in this Fair Labor Standards Act case filed a settlement agreement, and a joint statement explaining the basis for the agreement (Doc. #25), as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

The Court has considered the following factors: (i) the parties' position as to the proper valuation of plaintiff's claims; (ii) the risks and costs of continuing to litigate; (iii) that plaintiff is represented by counsel; (iv) that the settlement was reached as a result of arms-length negotiation during mediation on June 5, 2019; and (v) the non-disparagement provision is mutual.

Based on the foregoing, the Court finds the settlement agreement is fair and reasonable, and the product of arm's-length negotiation, not fraud or collusion.

Moreover, the Court finds the attorney's fees to be fair and reasonable under the circumstances, as the fees requested are one-third of the settlement amount.

Accordingly, the parties' settlement agreement (Doc. #25) is APPROVED, and the case is DISMISSED.

The Clerk is instructed to terminate the pending motion (Doc. #20) and close this case.

Dated: June 20, 2019
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge